

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60950 of 2022

Arising Out of PS. Case No.-392 Year-2022 Thana- BUXAR MUFFSIL District- Buxar

Rampravesh Chaudhary @ Kallu Chaudhary @ Kallu S/o Singhashan Chaudhary @ Ram Singhashan Chaudhary R/o Village- Banarpur, P.S.- Baxar (Muffasil), Distt- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Dimpal Kumari, Adv

For the Opposite Party/s : Ms. Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 06-01-2023 Today being Friday, matters are being taken up through virtual mode, as per current procedure for hearing.

Heard learned counsel for the petitioner and learned APP for the State.

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioner seeks bail in connection with Buxar (Muffasil) P.S. Case No. 392 of 2022 registered under Sections 30(a) of the Bihar Prohibition and Excise Amendment Act 2018.

From a pile of hay, 142 litres of liquor has been recovered, within the premises of the petitioner's house.



Learned counsel for the petitioner submits that recovery is from a place which was accessible to one and all, for which petitioner cannot be held responsible. Recovery is also not in accordance with law. He is in custody since 12.09.2022 and on bail in Buxar (M) P.S. Case No. 177/2011.

Learned APP has opposed the prayer for bail.

Considering the rival submissions, this Court, for the purposes of grant of bail, is inclined to accept the submission advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed.

Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Excise Special Court No. 1, Buxar in Buxar (Muffasil) P.S. Case No. 392 of 2022, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each



date and if he fails to do so on two consecutive dates, his bail
bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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